

APS-131

February 27, 2003

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **02-3114**

CARLOS CHICO WOODS

VS.

JOSEPH W. CHESNEY, ET AL.

(M.D. PA. CIV. NO. 01-CV-01078)

Present: SLOVITER, MCKEE and SMITH, CIRCUIT JUDGES

Submitted are:

- (1) Appellant's document entitled "Notice of Appeal to the Court of Appeals," which may be construed as a request for a certificate of appealability under 28 U.S.C. § 2253(c)(1) and for appointment of counsel; and
- (2) Appellant's memorandum of law in support thereof in the above-captioned case.

Respectfully,

Clerk

MMW/RAW/tyw

ORDER

The foregoing request for a certificate of appealability is denied because Appellant has failed to make a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000). Appellant's request for appointment of counsel on appeal is denied.

A True Copy:

By the Court,

Marcia M. Waldron,
Marcia M. Waldron,
Clerk

Circuit Judge

Dated: MAR 19 2003
tyw/cc: CCW
VSF